

Application No.: 09/707,710  
Amendment dated: February 19, 2004  
Reply to Office Action of December 15, 2003

d.) Remarks

Claims 6 through 8 and 10 through 19 are pending in this application. Claim 6 has been amended in various particulars. Claim 9 has been cancelled.

The pending Office Action indicated that the application would be abandoned if the drawing and formalities noted in Paper No. 6, mailed on March 18, 2002 were not corrected. In that March 18<sup>th</sup> Office Action, a number of objections were raised relative to the drawings. These objections were each addressed in the subsequent response. In the final Office Action, mailed January 2, 2003, the drawings were still nominally deemed objectionable, as indicated in the Office Action Summary (Box 10) of the January 2<sup>nd</sup> Office Action. However, there was no basis or explanation supporting this objection, *i.e.*, there was not explanation as to why the drawings were still deemed objectionable. Further, the objection was made relative to the drawings as filed in the original application, on November 7, 2000. It does not appear that the drawings as filed on February 20, 2001 have ever been considered.

As a result, Applicants require clarification concerning the basis for the objection to the drawings. Moreover, if they have not been considered, Applicants request that the formal drawings, as filed in February of 2002, be considered.

Turning now to the merits, claims 6 through 8, 10, 12-13 and 16-19 were rejected under 35 U.S.C. § 103 as being unpatentable over the Miles patent, in view of the Kuhara, *et al.* patent. This rejection is deemed overcome by the inclusion of the subject matter from claim 9 into independent claim 6.

Thus, Applicants believe that the rejection of claims 9, 11, 14 and 15 as being unpatentable over the Miles patent, in view of the Flanders patent, is most relevant to the pending independent claims. Applicants respectfully traverse this rejection.

Claim 1 requires the endface of the optical fiber to be secured to the bench to receive light generated by the semiconductor chip, using a mounting structure. Finally, the endface of this fiber is axially rotated relative to the bench, to improve the

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polarization extinction ratio by deforming this mounting structure. Thus, the present invention claims the mounting structure attachment of the optical fiber to the bench, followed by the axial rotation by the deformation of this mounting structure in order to improve the polarization extinction ratio.

These features are neither shown nor suggested by the two applied references. The Miles patent does not show the use of a mounting structure and its deformation to improve polarization extinction. While the Flanders patent describes the use of similar mounting structures, the claimed invention is not shown.

Thus, for the foregoing reasons, Applicants believe that the present pending claims are distinguishable over the applied references.

Applicants believe that the present application is in condition for allowance. A Notice of Allowance is respectfully solicited. Should any questions arise, the Examiner is encouraged to contact the undersigned.

Respectfully submitted,

By 

J. Grant Houston  
Registration No.: 35,900  
Tel.: 978-439-3479  
Fax: 978-262-0035

Billerica, Massachusetts 01821  
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